

FILED VIA EFS WEB

Serial No.: 10/758,755

Docket No.: 97112.2617

REMARKS

Per the telephonic conference of December 5, 2007 with the Examiner, Applicant submits the proposed amendment to Figure 2B. The amendment is intended to better represent the disclosure of the written specification in graphical form. No new matter has been added.

In support of the amendment, Applicant directs the Examiner's attention to the paragraphs [0038] and [0039]. Paragraph [0038] discloses adjusting the pH of a metal-bearing solution as seen in the following quotation:

Referring now to FIG. 2B, in order to optimize solution extraction of the copper, the pH of copper-containing solution 230 from solid-liquid phase separation step 228, in accordance with various aspects of this embodiment of the present invention, preferably is adjusted to a pH of about 1 to about 2.2, more preferably to a pH of about 1.2 to about 2.0, and still more preferably to a pH of about 1.4 to about 1.8.

Paragraph [0039] discloses diluting the pH-adjusted metal bearing solution as seen in the following quotation:

Alternatively, or in combination with the method described above, the pH of copper-containing solution 230 may be adjusted through dilution (step 250). In contradistinction to the prior art methods that rely on significant dilution, in accordance with the present invention, when dilution is employed, low dilution ratios of make-up solution to copper-containing solution 230 are used.

The phrase "in combination with the method described above" in paragraph [0039] refers to the pH adjustment process disclosed in the immediately preceding paragraph [0038]. The phrase "in combination with" discloses that the dilution may be combined with pH adjustment step. The combination of those two steps results in the "adjusting the pH of said metal-bearing solution using chemical pH adjustment to form a pH-adjusted metal-bearing solution; [and] c) diluting said

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pH-adjusted metal-bearing solution.” As this subject matter was disclosed in the specification, Applicant believes that the proposed amendment to Figure 2B is supported in the specification as filed.

Referring now to proposed amendment to Figure 2B, Applicant proposes to add a dotted line between the Final Metal Containing Solution 236 and the dilute step 250. This line represents the “in combination with” language used in paragraph [0039] and described above.

In addition, Applicant and Examiner noted that the published version of this application contains an additional paragraph not found in the Examiner’s copy of the specification. Applicant has used the paragraph numbering as held by the Examiner in the above remarks. Applicant directs the Examiner’s attention to paragraph [0006] of the published application which is present in the publication but not the specification as held by the Examiner.

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CONCLUSION

For the foregoing reasons Applicants submits that Figure 2B as amended should be entered.

Should the Examiner have any questions or concerns with respect to this submission or the application in general, he is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

Dated: _____

By: _____

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